

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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BRIAN JOSEPH GREFF,

Plaintiff,

20-CV-05589 (GBD) (VF)

-against-

**ORDER**

AMERICAN INTERNATIONAL INDUSTRIES  
et al.,

Defendants.

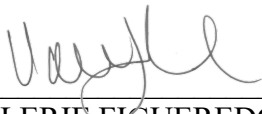
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**VALERIE FIGUEREDO, United States Magistrate Judge:**

By **Thursday, December 7, 2023**, Plaintiff and American International Industries (“AII”) are directed to submit letter briefs addressing why the state court order dated November 27, 2023—directing AII to return two bottles of talcum powder that are the subject of this Court’s January 20, 2022 order—does not violate the Supremacy Clause of the United States Constitution. Additionally, Plaintiff is separately directed to explain to the Court what use it anticipates for the two Greff bottles in the *Cardillo* case, and why, if those bottles are used during trial in *Cardillo*, this Court should not permit AII to file a motion to have the bottles deemed spoliated in this case.

In order to continue to preserve the status quo until the Court is able to address these questions, the stay granted on December 1, 2023 is continued.

**SO ORDERED.**

DATED: New York, New York  
December 5, 2023

  
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VALERIE FIGUEREDO  
United States Magistrate Judge